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| 22434                  | 7590        | 09/25/2007           | EXAMINER            |                  |
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| P.O. BOX 70250         |             |                      |                     |                  |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

|                              |                        |                     |
|------------------------------|------------------------|---------------------|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |
|                              | 10/651,918             | GIRISH ET AL.       |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |
|                              | Samir Termanini        | 2178                |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on 14 June 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) Claim(s) 1-21,24-27,29-44,46-49 and 53-55 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-21,24-27,29-44,46-49 and 53-55 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 29 August 2007 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 5/7/2007.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### **BACKGROUND**

1. This Final Office Action is responsive to the following communications:  
Amendment filed on 6/14/2007.
2. Claims 1-21, 24-27, 29-44, 46-49, and 53-55 are pending. Claims 1, 12, 21, 32, 44, and 49 are independent in form. Applicant amended claims 1-4, 6, 12, 21, 32, 44, and 49.

### **INFORMATION DISCLOSURE STATEMENT**

3. The information disclosure statement (IDS) filed on 5/7/2007 has been acknowledged and considered by the examiner. The Initial copy of form PTO-1449 is included in this office action.

### **RESPONSE TO AMENDMENT**

4. Applicant's Amendment (filed on 6/14/2007) changed the scope of all pending independent claims (i.e., automatic focusing; and that the pickup device is fixed during focusing) and have, thereby, rendered all previous grounds of Rejection under 35 U.S.C. § 102(b) moot. Therefore, the 35 U.S.C. § 102(b) Rejections made in the 3/8/2007 Non-Final office action are withdrawn.

## CLAIM OBJECTIONS

5. **Claims 24, 28, 46, and 55** are objected to because of the following informalities:

With respect to **claims 24, 28, and 46**, they all depend from canceled claims. They are being examined as if they instead depended on the respective claim appearing next lower, by claim number (as if 24 depended on 21; 28 depended on 21; and 46 depended on 44).

With respect to **claims 55**, it is not clear if the forward slash '/' in "and/or" is intended to conjunctively, disjunctively, or inclusively concatenate those elements immediately before and after it. More specifically, it is unknown which of the limitations are included in the claimed invention: (1) those before and after; (2) those before, after, or both; or (3) those both before and after, or only after.

Appropriate correction is required.

## CLAIM REJECTIONS - 35 U.S.C. §102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. **Claims 1-14, 16-21, 32, 34-37, 42-44, 47-49, and 53-55** are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat No. 6,275,258 B1 to *Chim*.

### I. Citation of Prior Art

A reference to specific paragraphs, columns, pages, or figures in a cited prior art reference is not limited to preferred embodiments or any specific examples<sup>1</sup>. It is well settled that a prior art reference, in its entirety, must be considered for all that it expressly teaches and fairly suggests to one having ordinary skill in the art<sup>2</sup>. Stated differently, a prior art disclosure reading on a limitation of Applicant's claim cannot be ignored on the ground that other embodiments disclosed were instead cited. Therefore, the Examiner's citation to a specific portion of a single prior art reference is not intended to exclusively dictate, but rather, to demonstrate an exemplary disclosure commensurate with the specific limitations being addressed.

### II. General Discussion of the Applied Prior Art.

*Chim* teaches a video camera tracking system that continuously tracks sound emitting objects. A sound activation feature of the system enables a video camera to track objects. *Chim*'s video camera is taught to be well suited for videophone applications. The tracking system includes microphones for directing the camera. *Chim*

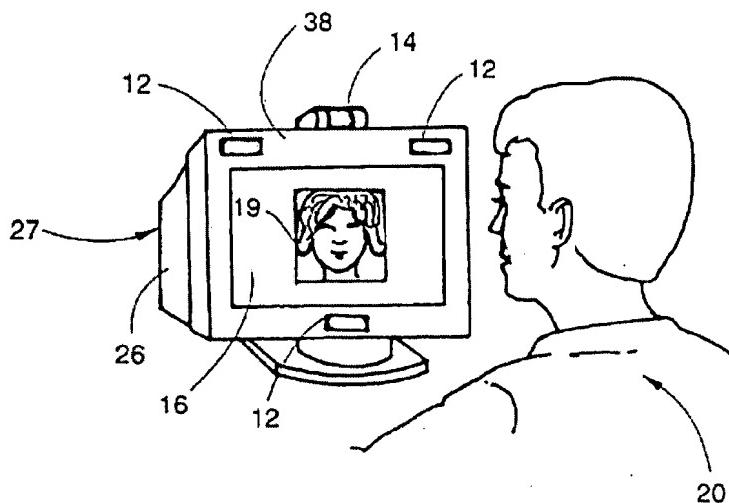
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<sup>1</sup> *In re Heck*, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (Quoting *In re Lemelson*, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

<sup>2</sup> *Upsher-Smith Labs. v. Pamlab, LLC*, 412 F.3d 1319, 1323, 75 USPQ2d 1213, 1215 (Fed. Cir. 2005); *In re Fritch*, 972 F.2d 1260, 1264, 23 USPQ2d 1780, 1782 (Fed. Cir. 1992); *Merck & Co. v. Biocraft Labs., Inc.*, 874 F.2d 804, 807, 10 USPQ2d 1843, 1846 (Fed. Cir. 1989); *In re Fracalossi*, 681 F.2d 792, 794 n.1, 215 USPQ 569, 570 n.1 (CCPA 1982); *In re Lamberti*, 545 F.2d 747, 750, 192 USPQ 278, 280 (CCPA 1976); *In re Bozek*, 416 F.2d 1385, 1390, 163 USPQ 545, 549 (CCPA 1969).

also teaches that the camera focuses within a field of view without mechanically repositioning the camera. For clarity, the Examiner is reproducing Fig. 2A below:

FIG. 2A



### III. Prior Art Anticipation of Claimed Limitations.

As to independent claim 1, *Chim* describes: An electronic device ("computing device, such as a computer." col. 3, lines 66-67), comprising: a processor for executing an operating system program and a media content presentation program ("CPU 34" col. 8, line 6); a media content pickup device operatively connected to the processor ("camera 14" col. 7, line 19), the media content pickup device arranged to capture media content input ("camera tracking system enables a video camera to track each speaking participant of the conference " col. 9, lines 5-6), and the media content pickup device arranged to automatically focus on a user-specified region of interest without moving the media content pickup device ("The wide field of view enables scaling and cropping of an image captured by the camera without the need to mechanically reposition the

camera for framing a speaker, or a portion of the speaker such as their face. Therefore, the invented System is particularly well suited for such applications as teleconferencing. " col. 4, lines 16-24); and a media output path to receive and to carry, the focused media content ("image display means, such as a screen 16, " col. 6, lines 1-5).

As to dependent **claims 2-5, and 7**, which ultimately depend from claim 1, *Chim* further discloses: the user-specified region of interest is specified by a user through interaction with a graphical user interface (see Fig 2A); the graphical user interface is provided by the media content presentation program that is executed by the processor:

the CPU 34, continuously process the data transmitted by the microphones 12 for continuously directing the camera 14 toward the speaker 20, so that the speaker's image 19 is substantially continuously optimally framed in the camera's field of view.

(col. 7, lines 31-36); the media output path carries the focused media content input to be provided to a media output device ("screen 16" col. 6, lines 1-5); the media output device being part of the electronic device or separate from the electronic device ("computer monitor or other suitable screen, at their remote location" col. 4, lines 13-14); the graphical user interface includes at least a media content display window (see Fig. 2A); and the media output device is a monitor ("computer monitor," col. 4, lines 13-14).

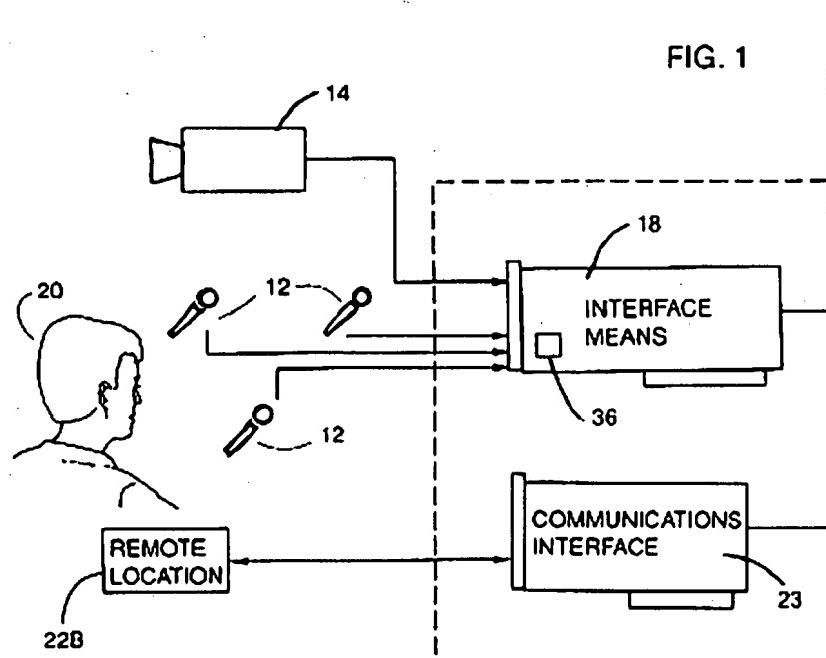
As to dependent **claim 6**, which depends from claim 5, *Chim* further discloses: An electronic device as recited in claim 5, wherein the user-specified region of interest is specified by the user with reference to the media content display window ("The scaling and cropping of the image 19 intelligently frames the image 19 of the speaker

20 for transmission of the image 19 without the need to mechanically reposition the camera 14 to frame the speaker 20, or a portion of them, such as their face, as shown in FIGS. 2A and 2B. Thus, the speaker's image 19 is typically well positioned in the field of view for transmission of the image 19 to the remote locations 22." col. 6, lines 37-44).

As to dependent **claim 8**, which depends from claim 4, *Chim* further discloses: An electronic device as recited in claim 4, wherein the media output device is at least one speaker ("In input-output block 54, the speaker's image 19 and voice, or other sounds, are simultaneously transmitted to remote locations 22 via the communications interface 23," col. 8, lines 46-49).

As to dependent **claim 9**, which depends from claim 1, *Chim* further discloses: An electronic device as recited in claim 1, wherein the media content input is at least one of audio content or video content ("video signals representative of a speaker's image 19 in the camera's field of view are input into the interface card for processing," col. 8, lines 23-25)

As to dependent **claim 10**, which depends from claim 1, *Chim* further discloses: in Fig. 1, that the media content pickup device is at least one of a camera and a plurality of microphones:



As to dependent **claim 11**, which depends from claim 1, *Chim* further discloses: an electronic device as recited in claim 1, wherein the electronic device is a computer ("computer system 30" col. 7, line 21).

As to independent **claim 12**, *Chim* describe(s): a computer system , comprising: a processor for executing a video application program ("In a computer system application for example , " col. 7, lines 54-65); a camera operatively connected to said processor, said camera arranged to capture video input in accordance with its field of view ("camera tracking system enables a video camera to track each speaking participant of the conference " col. 9, lines 5-6), and said camera arranged to automatically focus on a determined region of the field of view without moving the camera ("The wide field of view enables scaling and cropping of an image captured by the camera without the need to mechanically reposition the camera for framing a speaker, or a portion of the speaker such as their face." col. 4, lines 16-24), the determined region being determined in

accordance with a user input ("for determining movement of a sound emitting object relative to the microphones 12," col. 7, lines 54-65); and a data output means operatively connected to said processor, said data output means operates to provide the focused video input for display ("the CPU 34, continuously process the data transmitted by the microphones 12 for continuously directing the camera 14 toward the speaker 20," col. 7, lines 31-36).

As to dependent **claim 13**, which depends from claim 12, *Chim* further disclose(s): a computer system as recited in claim 12, wherein said processor receives a user input that indicates the determined region of the field of view ("the CPU 34, continuously process the data transmitted by the microphones 12 for continuously directing the camera 14 toward the speaker 20, so that the speaker's image 19 is substantially continuously optimally framed in the camera's field of view." col. 7, lines 31-36).

As to dependent **claim 14**, which depends from claim 13, *Chim* further disclose(s): a computer system as recited in claim 13, wherein the user input is with respect to a window displayed on said display.

As to dependent **claim 15**, which depends from claim 14, *Chim* further disclose(s): a computer system as recited in claim 14, wherein the user input is a user selection of a region of the window (see Fig 2A).

As to dependent **claim 16**, which depends from claim 12, *Chim* further disclose(s): a computer system as recited in claim 12, wherein said computer further

comprises: at least one microphone for sound pickup ("Therefore, the microphones 12 are positioned at the remote location 22 at fixed spatial positions that are known 55 to the interface card 18, for determining movement of a sound emitting object relative to the microphones 12." col. 7, lines 54-65)..

As to dependent **claim 17**, which depends from claim 16, *Chim* further discloses: a computer system as recited in claim 16, wherein the video application program is an audio-video application ("computer system application for example" col. 7, lines 55-60), and wherein the processor receives the sound pickup from the at least one microphone and supplies audio output to a speaker ("emitted from a sound emitting object, such as the speaker 20, or speakers, to the interface card 18 for processing by the card and CPU 34," col. 8, lines 4-6; see also "in combination with the CPU 34, continuously process the data transmitted by the microphones 12 for continuously directing the camera 14 toward the speaker 20, so that the speaker's image 19 is substantially continuously optimally framed in the camera's field of view." col. 7, lines 30-36).

As to dependent **claim 18**, which depends from claim 17, *Chim* further discloses: a computer system as recited in claim 17, wherein the speaker is coupled to and associated with the computer ("speakers, to the interface card 18 for processing by the card and CPU 34." col. 8, lines 5-6).

As to dependent **claim 19**, which depends from claim 12, *Chim* further discloses: a computer system as recited in claim 12, wherein the computer further comprises: a plurality of microphones for sound pickup and having a known positional relationship to one another ("The microphones 12 may be located at any 60 suitable position at the

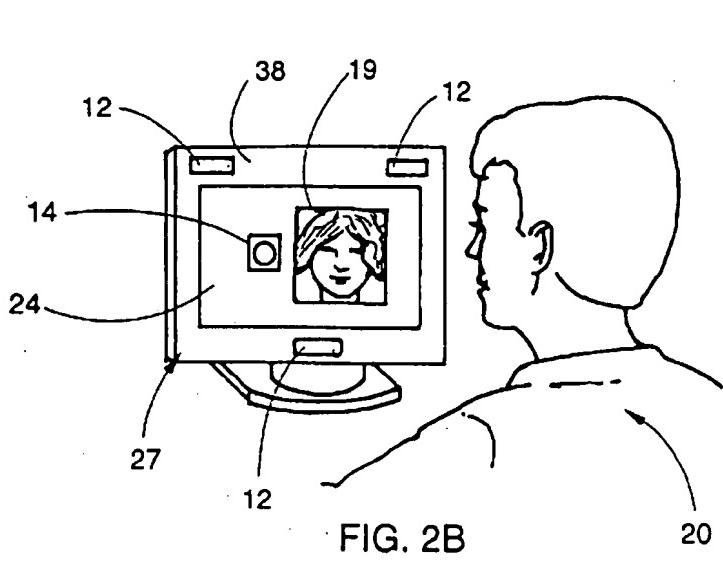
remote location so long as each microphone's coordinates are known to the interface card 18. " col. 7, lines 60-64), wherein the microphones are integral with the camera ("when the camera tracking system 10 is integrated into the computer system 30, " col. 7, lines 20-21).

As to dependent **claim 20**, which depends from claim 19, *Chim* further discloses: a computer system as recited in claim 19, wherein the processor receives audio input from each of the microphones and processes the audio input to emphasize audio sound from the determined region that has been determined in accordance with the user input:

camera subject tracking function and method therefor, the disclosed camera is provided with a light measurement unit which measures light by dividing the subject field into multiple regions and outputs multiple light measurement data relating the brightness of the subject field. A subject tracking unit tracks the subject by detecting the movement of the subject using the output from the light measurement unit and a focal point detecting unit that includes multiple focal point detection regions within the subject field and detects the status of the focal point adjustment unit if the focal point of a photographic lens is manually adjusted. In use, if the focal point of the photo- graphic leans is adjusted by the subject tracking unit and at least one of the multiple focal point detection regions is in focus, the subject tracking unit tracks the subject position in the focal point detection region that is in focus as the new subject.

(col. 2, lines 35-51).

As to independent **claim 21**, *Chim* further describes: receiving video input from the camera and displaying the video input in a video viewing window of a monitor receiving an identification of a focus region that has an specified by a user by selecting an area of the video viewing window:



See element 19 of Fig. 2B., the camera to focuses on the focus region without moving the camera ("without the need to mechanically reposition the camera" col. 6, lines 39-40).

As to dependent **claims 30 and 42**, which depend from claims 21 and 32 respectively, *Chim* further discloses: that the receiving of the audio input is supplied from a first computing apparatus to a second computing apparatus and the displaying of the video input and the receiving of the focus region are performed on the second computing apparatus:

The camera tracking system 10 of the present invention is designed for applications that comprise the substantially simultaneous transmission of audio and visual signals between two or more remote locations for communication between the two locations. The invented tracking system 10 is well suited for such applications as teleconferencing, video teleconferencing, video-conferencing, and particularly well suited for video-phone as will become apparent from the ensuing description.

(col. 5, lines 50-60).

As to dependent **claim 31**, which depends from claim 21, *Chim* further discloses: a method as recited in claim 21, wherein the computing apparatus is a computer ("computing device, such as a computer." col. 3, lines 66-67).

As to independent **claim 32**, *Chim* describe(s): a method for using a computing apparatus to process audio input provided by a plurality of microphones ("microphones 12," col. 7, lines 31-36), said method comprising: receiving audio input from the plurality of microphones; receiving an indication of a region of interest from a user with respect to a graphical user interface window being displayed on a monitor ("computer monitor," col. 4, lines 13-14) available to the user (see Fig. 2B); and processing the audio input to focus the audio input towards the region of interest ("the CPU 34, continuously process the data transmitted by the microphones 12 for continuously directing the camera 14 toward the speaker 20," col. 7, lines 31-36).

As to dependent **claim 33**, which depends from claim 32, *Chim* further disclose(s): a method as recited in claim 32, wherein said method further comprises: outputting the processed audio input to at least one speaker ("the speaker's image 19 and voice, or other sounds, are simultaneously transmitted to remote locations 22 via the communications interface 23," col. 8, lines 46-49).

As to dependent **claim 34**, which depends from claim 33, *Chim* further disclose(s): a method as recited in claim 33, wherein said method further comprises: repeating the foregoing operations after said outputting has output the processed audio input to the at least one speaker ("continuously," col. 7, lines 31-36).

As to dependent **claim 35**, which depends from claim 32, *Chmi* further disclose(s): a method as recited in claim 32, wherein said processing captures audio from the region of interest while attempting to reject audio from other regions ("The interface card 18 may also include filter circuitry to additionally help with tracking the particular speaker 20 in the presence of ambient noise in order to facilitate the sensing and tracking of a particular voice.," col. 8, lines 14-20).

As to dependent **claim 36**, which depends from claim 32, *Chmi* further disclose(s): a method as recited in claim 32, wherein said processing utilizes beam forming and beam steering operations ("In use, if the focal point of the photo- graphic lenses is adjusted by the subject tracking unit and at least one of the multiple focal point detection regions is in focus, the subject tracking unit tracks the subject position in the focal point detection region that is in focus as the new subject." col. 2, lines 35-51)..

As to dependent **claim 37**, which depends from claim 32, *Chmi* further disclose(s): a method as recited in claim 32, wherein a camera couples to the computer, and wherein the camera has a housing and the microphones are internal to the housing of the camera ("a microphone 12 may be retained in a face 38 of the housing 26 on either side of the screen 24. " col. 7, lines 54-65).

As to **claims 43-44**, *Chim* further taught a second computer system ("computer," col. 4, lines 13-14), like the first automatically focusing computer, networked:

The camera tracking system 10 of the present invention is designed for applications that comprise the substantially simultaneous transmission of audio and visual signals between two or more remote locations for communication between the two locations. The invented tracking system

10 is well suited for such applications as teleconferencing, video teleconferencing, video-conferencing, and particularly well suited for video-phone as will become apparent from the ensuing description.

(col. 5, lines 50-60). The graphical user interface window was show in Fig 2B, above.

As to dependent **claim 47**, which depends from claim 44, *Chim* further discloses: a video conferencing system as recited in claim 44, wherein both first and second computer systems have a plurality of microphones and speakers the audio input from each is provided to the other through a network for automatically focusing:

Therefore, the microphones 12 are positioned at the remote location 22 at fixed spatial positions that are known 55 to the interface card 18, for determining movement of a sound emitting object relative to the microphones 12. In a computer system application for example, a microphone 12 may be retained in a face 38 of the housing 26 on either side of the screen 24. The microphones 12 may be located at any 60 suitable position at the remote location so long as each microphone's coordinates are known to the interface card 18.

(col. 7, lines 54-65). Note further:

the CPU 34, continuously process the data transmitted by the microphones 12 for continuously directing the camera 14 toward the speaker 20, so that the speaker's image 19 is substantially continuously optimally framed in the camera's field of view.

(col. 7, lines 31-36)

As to dependent **claim 48**, which depends from claim 44, *Chim* further discloses: a video conferencing system as recited in claim 44, wherein the first plurality of microphones are internal to a housing of the first camera ("Camera 14" col. 7, lines 12-17), and wherein the second plurality of microphones are internal to a housing of the

second camera ("When the system 10 is substantially integrated into a personal computer 30, the Camera 14 may be integrated into the monitor 27 as discussed above. The microphones 12 additionally may be installed in the monitor 27 in this embodiment." col. 7, lines 12-17).

As to **claims 49 and 53-55**, these Claims differ only in that they are directed to products defined by the processes of previous recited Claims. Accordingly, claims 49-55 and 53-55 are rejected for the same reasons set forth in the treatment of previous claims.

### **CLAIM REJECTIONS - 35 U.S.C. § 103**

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

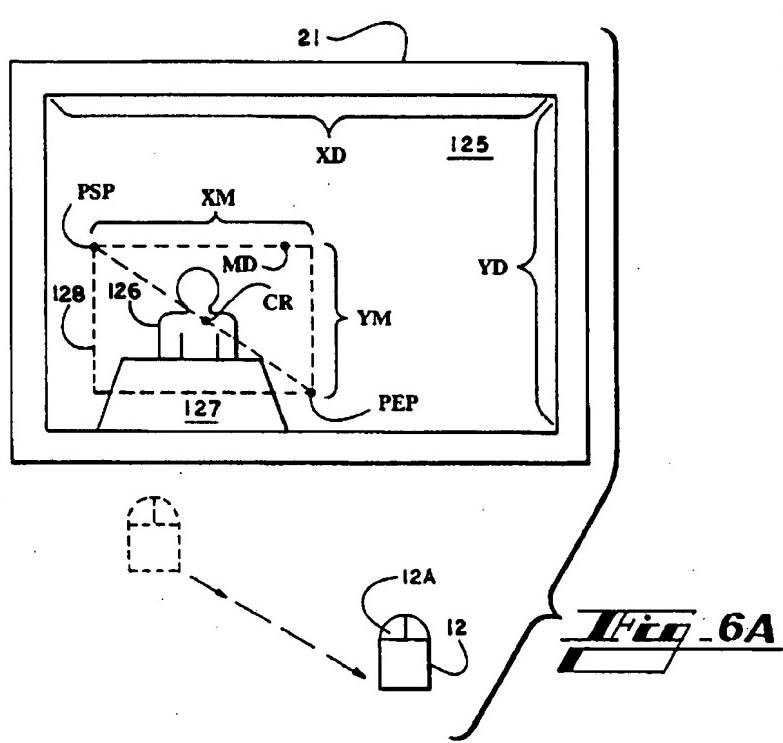
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 24-25, 38-41, and 46** are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of U.S. Pat. No. 6,275,258 B1 to *Chim*, in view of U.S. Pat. No. 5,589,878 A to *Cortjens et al.* (hereinafter *Cortjens*).

#### **I. Scope of the Prior Art and the Level of Ordinary Skill**

The scope and content of the primary reference, *Chim*, was addressed above. The secondary reference, *Cortjens*, discloses a videoconferencing system having a controller for controlling the operation of a camera. *Cortjens* shows teaches the use of a user input

device, such as a mouse or a joystick being connected to the controller to allow the user to control the camera. *Cortjens* shows a user using a mouse to select a focused region the same way the applicant is claiming<sup>3</sup>. For clarity, the Examiner will reproduce *Cortjens* figure 6A below:



Accordingly, with reference to *Cortjens's* Figure 6A and descriptive text at col. 17, lines 4-36, the Examiner finds that *Cortjens* teaches that it was well known to use

<sup>3</sup> "Factors that may be considered in determining level of ordinary skill in the art include (1) the educational level of the inventor; (2) type of problems encountered in the art; (3) prior art solutions to those problems; (4) rapidity with which innovations are made; (5) sophistication of the technology; and (6) educational level of active workers in the field." *Environmental Designs, Ltd. v. Union Oil Co.*, 713 F.2d 693, 696, 218 USPQ 865, 868 (Fed. Cir. 1983), cert. denied, 464 U.S. 1043 (1984).

a pointing devices to select regions of video streams for "automatic zoom[ing]" (col. 17, lines 4-36).

## II. Obviousness and Analysis of Claimed Differences

As to closely related **claims 24-29, and 38-41**, *Chim* discloses each and every element of the method set forth in claims 21, 30, 32 and 44, addressed *supra*.

*Chim* differs from claims 24-29, 38-41, in several regards. First, *Chim* does not specifically teach that the user moves a cursor or position reference image. Second, *Chim* is silent as to the user moving the pointing device to an area of interest then selecting the focus region. Third, *Chim* does not teach that the focus region is selected by clicking on the area of interest. Fourth, *Chim* fails to disclose that user clicks a button on the pointing device. Finally, *Chim* is silent as to the point device being a mouse.

On the other hand, *Cortjens* teaches a user moving a cursor or position reference image ("pointer" col. 17, line 13) over the video viewing window using a pointing device to an area of interest ("area of interest" col. 17, line 16) then selects the focus region by clicking on the area of interest ("depress and hold...mouse button" col. 17, lines 14-16) on a mouse:

the user will simply use the mouse 12 to place the pointer at the desired pointer starting point (PSP), depress and hold a predetermined mouse button, such as the left button 12A, and drag the pointer across the area of interest, which causes a rectangular box to begin spreading across the screen, with one corner at the PSP. When the user reaches the desired ending point, the pointer ending point PEP), the user will release the mouse button. The user has thereby drawn a rectangle around the area of interest and released the mouse button. Controller 10 will then determine the appropriate pan and

tilt for a camera and cause the camera to center its field of view on the center of the rectangle (CR), then cause the camera to zoom in so that rectangle 128 fills, as fully as possible, screen 125, and also cause the camera to refocus, if necessary.

(col. 17, lines 12-27).

It would have been obvious to one ordinary skill in the relevant field at the time the invention was made to used the mouse selection technique taught in *Cortjens*, with the system and method of *Chim* because it is expressly taught as advantageously suitable for selecting focus regions in a video feed:

the user will simply use the mouse 12 to place the pointer at the desired pointer starting point (PSP), depress and hold a predetermined mouse button, such as the left button 12A, and drag the pointer across the area of interest, which causes a rectangular box to begin spreading across the screen [and release] the mouse button. Controller 10 will then determine the appropriate pan and tilt for a camera and cause the camera to center its field of view on the center of the rectangle (CR), then cause the camera to zoom in so that rectangle 128 fills, as fully as possible, 25 screen 125, and also cause the camera to refocus, if necessary.

(col. 17, lines 9-27). Furthermore, *Cortjens* states that it is well known in the computer field to use a mouse for precisely this technique:

the simple tasks of positioning the pointer in one corner of the 30 desired scene, depressing a mouse button, dragging the mouse to draw a rectangle, and releasing the mouse button, the user has caused the selected picture area to be expanded to fill the display 125. The use of point, click, drag, and release techniques to draw a box, such as box 128, are, in general, well known in the personal computer field.

(col. 17, lines 29-36)(emphasis added). From reading *Cortjens* and *Chim* each step of claims 24-29 perform as one of ordinary skill in the art would have expected them to

perform<sup>4</sup>. The steps claimed in combination do no more than what one would expect if the steps described in *Chim* and *Cortjens* were preformed separately. In that regard, the results of using the mouse as taught in *Cortjens* was predictable<sup>5</sup>. This especially significant in view of the fact that *Cortjens*'s mouse is used in the same way applicant is claiming:

cause the camera to center its field of view on the center of the rectangle (CR), then cause the camera to zoom in so that rectangle 128 fills, as fully as possible, 25 screen 125, and also cause the camera to refocus, if necessary.

(col. 17, lines 9-27).

## RESPONSE TO ARGUMENTS

10. Applicant arguments, see pp. 13 filed 6/14/2007, with respect to the 35 U.S.C. §102(b) Rejections cited by the Examiner in the previous Office Action (dated 3/8/2007), have been considered but are moot in view of the new ground(s) of rejection, addressed in detail *supra*.

Briefly stated, Applicant argued<sup>6</sup> that *Alexander et al.*, (the Prior Art relied upon within the previous Office Action) was lacking in the disclosure of a user selecting a region of interest in order to process audio input. Applicant further argued that *Alexander et al.* was only concerned with selecting a region in order to move a video

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<sup>4</sup> “[I]n *Sakraida v. AG Pro, Inc.*, [t]he Court derived from the precedents the conclusion that when a patent simply arranges old elements with each performing the same function it had been known to perform and yields no more than one would expect from such an arrangement, the combination is obvious.” *KSR Int'l v. Teleflex Inc.*, 127 S.Ct. 1727, 82 USPQ2d at 1395-96 (internal quotation omitted).

<sup>5</sup> “The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.” *KSR Int'l v. Teleflex Inc.*, 127 S.Ct. 1727, 1739, 82 USPQ2d 1385, 1395 (2007).

camera and that processing audio input in order to target that audio input toward a particular region of interest could not be found. Finally, Applicant asserted that *Alexander* only taught the placement of multiple microphones in a conference room, and that is to be distinguished from processing audio input in order to target that input toward a particular region.

## CONCLUSION

11. All prior art made of record in this Office Action or as cited on form PTO-892 notwithstanding being relied upon, is considered pertinent to applicant's disclosure. Therefore, Applicant is required under 37 CFR §1.111(c) to consider these references fully when responding to this Office Action.

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date

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<sup>6</sup> See Applicant's REMARKS filed 6/14/2007 at p. 13.

of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Samir Termanini at telephone number is (571) 270-1047. The Examiner can normally be reached from 9 A.M. to 6 P.M., Monday through Friday.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2178

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